THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.13425 of 2006

Dated: 3rd July, 2006

Between :-

Smt. K. Bharathi .. Petitioner

And

The State Election Commission, A.P.
rep. By its Secretary, 3rd Floor,
Buddha Bhavan Secunderabad and another .. Respondent

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.13425 of 2006

ORDER:-

Heard the Counsel.

2. The Writ Petition is filed for a writ, order of direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in conducting the counting of votes in all Sub-divisional headquarters in the State on 4-7-2006 and also conducting the election of the Z.P.Chairmen/Chairpersons and Mandal Presidents with a gap of 6 to 7 days after the declaration of the results of the MPTC and ZPTC on 10/11-7-2006 as illegal, arbitrary and in violation of the principles of natural justice and consequently direct the respondent No.1 to conduct the counting of votes in the respective Assembly Constituency headquarter or Mandal headquarter and immediately after the declaration of the results, the election for the Z.P.Chairmen/Chairpersons and the Mandal Parishad Presidents be completed and to pass such other suitable orders.

3. It is stated by the writ petitioner that the elections were held on 28-6-2006 and the 1st respondent had announced that the counting of votes would be conducted on 4-7-2006. The 1st respondent stated that the election

of Z.P.Chairmen/Chairpersons would be held on 10-7-2006. It was also stated that the 1st respondent had stated that the election for Mandal Presidents would be held on 11-6-2006. The petitioner also stated that she had given a representation to the 1st respondent on 28-6-2006. In the circumstances it is stated that the relief prayed for be granted or at least interim directions be given. Sri Prabhakar Rao, the learned Counsel representing the 1st respondent had drawn the attention of this Court to G.O.Ms.No.173, Panchayat Raj & Rural Development (Elections) Dept., dated 10-5-2006 and had drawn the attention of this Court to Rule 8 (2) of the said Rules and would contend that in view of the fact that the election programme had already drawn up and the personnel have been deputed to the respective places, it would not be possible to comply with the request which is being made by the petitioner.

4. In the light of the same, this Court is of the considered opinion that the Writ Petition is devoid of merit and the same shall stand dismissed at the stage of admission. No costs.

Justice

P.S.Narayana

3rd July, 2006
smr